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The Labor Laws of Soviet Russia

FOURTH EDITION, REVISED

**With a Supplement, THE PROTECTION OF LABOR IN SOVIET
RUSSIA, by S. Kaplun, of the Commissariat of Labor.**

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110 West 40th Street
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THE BASIC PRINCIPLES OF THE LABOR LAWS OF SOVIET RUSSIA

(Summary by the Russian Soviet Government
Bureau in the United States)

THE fundamental principle underlying the labor laws of Soviet Russia is that society owes everybody a living. The community is like one family, every member of which is supported out of the family income. The labor laws speaks of "citizens." In practice, however, there is no difference between citizens and aliens because any person may become a citizen by a mere declaration of intention to become one.

It goes without saying that since everyone is entitled to a seat at the community table, every able-bodied person is required to contribute his or her share towards the work which is necessary to provide the community with the means for the support of its members. This is described as "compulsory labor."

The obligation to work for the community begins with the age of sixteen and terminates at the age of fifty. Old persons are supported by the community; likewise all persons who are permanently or temporarily incapacitated for work. This includes women for a period of eight weeks before and eight weeks after confinement. School children are required to take manual training at school.

The community undertakes to provide every person with work. If no work can be found for any able-bodied person, he or she is entitled to a full wage or salary for the whole time of his or her involuntary idleness.

As far as practicable, every worker must be assigned to work at his trade or profession, if he has any, and at his usual place of residence. If there is no opening in a person's chosen field of work, he may be assigned to and must accept another class of work. If, however, the work is of a lower grade, the worker is nevertheless entitled to his regular compensation which he would receive if employed at his own trade or profession. If no employment can be found for a worker within the district where he resides, he may be assigned to work in another district.

Night work is prohibited for all persons under the age of eighteen, and for women of all ages. The same classes are excluded from all kinds of employment which are considered "especially hard or dangerous."

In nationalized industries the terms of employment are regulated by rules framed by the labor organizations, subject to the approval of the People's Commissariat of Labor, which corresponds to the Department of Labor of the United States. In establishments operated by private capital the terms of employment are regulated by rules agreed upon between the owners or directors of the establishments and the labor unions, likewise subject to approval by the People's Commissariat of Labor. If no agreement can be reached between capital and labor the terms of employment are drawn up by the trade unions and submitted for approval to

the People's Commissariat of Labor. This provision of the Soviet labor laws is theoretically tantamount to compulsory arbitration. It must be borne in mind, however, that the People's Commissariat of Labor is a Soviet institution, in the election of which labor has a dominating vote.

A normal working day must not exceed eight hours for day work and seven hours for night work. The normal working day for persons under eighteen years of age must not exceed six hours. In especially hard and dangerous occupations the normal day must likewise not exceed six hours. If the character of the work is such that it cannot be dropped at the end of a normal working day, two or more labor shifts must be engaged. Overtime is permitted only in emergencies. Where the emergency would not endanger human life or involve interruption in water supply, lighting, sewerage, or transportation, overtime work is permitted only with the consent of the labor unions whose membership is affected. No persons under eighteen years of age, nor any women are permitted to work overtime. In no case may overtime exceed four hours in the course of two consecutive weeks, nor may overtime work be resorted to more than on fifty days during the year. The guiding idea is that whenever it may be foreseen that the work of any establishment cannot be completed with the regular force within a normal working day, additional shifts of workers must be provided for.

Every worker is entitled to a vacation with pay of two weeks in every six months.

In order to avoid as far as possible disputes between individual wage earners and the employers of labor over the performance of the term of em-

ployment, every worker is provided with a "labor booklet," in which must be entered the terms of his employment, the quantity of work performed, the amount of wages received by him, and all other particulars relating to his work and payment.

The right to "hire and fire" is not left to the discretion of the employer. Before any person is permanently engaged he must undergo a probation period of one week; in nationalized establishments the probation period is two weeks for unskilled labor and one month for skilled labor. If any employee is rejected after probation he may appeal to his union. If his union considers his complaint justified it may enter into negotiations with his employer. Should negotiations fail the matter may be submitted to the local office of the Commissariat of Labor, which may order the appointment of the complainant to a permanent position or may dismiss his complaint. After a person has been appointed to a permanent position he may be discharged for unfitness only with the consent of his labor union. Both the employer and the employee may appeal the matter to the local and the district office of the Commissariat of Labor, respectively. The decision of the district office is final.

Every wage earner is required to turn out the standard output fixed for his class and grade of work by the valuation committee of his labor union, subject to the approval of the Commissariat of Labor, representing the interests of labor, and the Council of National Economy, representing the interests of national industry. A wage earner, who falls below the standard may be demoted by decision of the valuation committee of his union, but he may appeal from that decision to the local and

the district office of the Commissariat of Labor. The decision of the district office is final. In case of negligence or bad faith a wage earner may be discharged without notice, subject to the agreement of his labor union.

A worker may be discharged in case of a shut-down of the establishment or of suspension of work for more than a month or in case of cancellation of special orders. The discharge of a worker for these reasons is likewise appealable to the local and district offices of the Commissariat of Labor. In every case the worker is entitled to two weeks' notice of the proposed discharge.

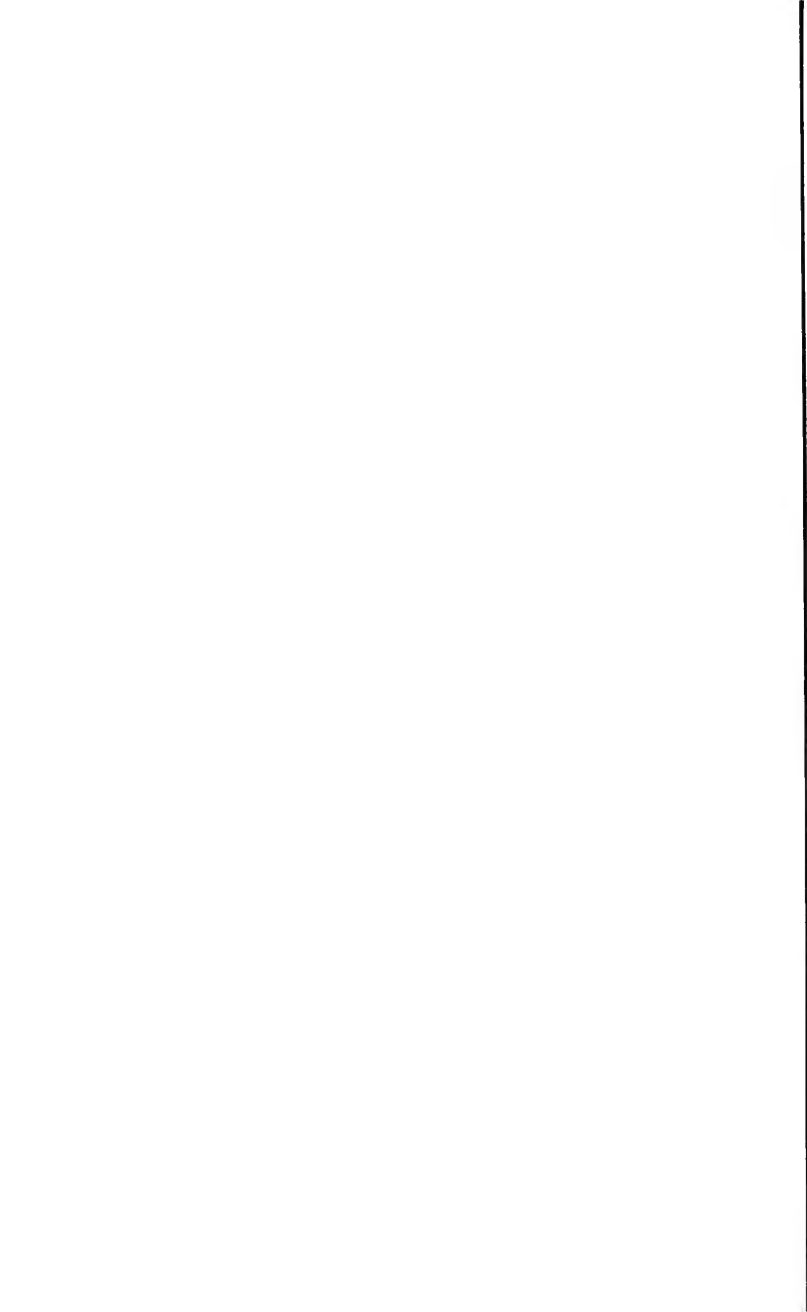
On the other hand, the worker is not at liberty to quit his job at pleasure. He must tender his resignation, which must be passed upon by the shop committee. If the shop committee, after a hearing, declines to accept the resignation, the wage earner must remain at work, but he may appeal to his trade union, whose decision is final. A wage earner who disobeys these rules is barred from other employment for one week and forfeits his unemployment benefit for that period. These rules do not apply, however, to personal service and to temporary employment where the worker is at liberty to quit at pleasure.

In order to carry into effect the principles which have been summarized in the preceding paragraphs, suitable machinery has been provided by the labor code. Every wage earner must enroll with some labor organization, whereupon he is assigned by the valuation committee of his union to a certain trade and class. This is in principle a continuation and extension of the guild system, which existed under the old laws of the Russian Empire.

A system of labor inspection has been provided for under the jurisdiction of the People's Commissariat of Labor. Labor inspectors are elected by the central bodies of the trade unions. The powers of the labor inspectors are very wide. They may enter at any time of the day or night every industrial establishment, as well as the lodgings provided by the employers for their workers. They may adopt special rules for the removal of conditions endangering the life and health of employees. They may require the production by the management of all the books and records of the establishment, and they may prosecute all persons violating the provisions of the labor code.

THE CODE OF LABOR LAWS
OF THE RUSSIAN SOCIALIST
FEDERAL SOVIET REPUBLIC

*Translated from the official text published
in Moscow.*



INTRODUCTION

I. The Code of Labor Laws shall take effect from the moment of its publication in the *Compilation of Laws and Regulations of the Workmen's and Peasants' Government*. This Code must be extensively circulated among the working class of the country by all the local organs of the Soviet Government and be posted in a conspicuous place in all Soviet Institutions.

II. The regulations of the Code of Labor Laws shall apply to all persons receiving remuneration for their work and shall be obligatory for all enterprises, institutions and establishments (Soviet, public, private and domestic), as well as for all private employers exploiting labor.

III. All existing regulations of a general character and those hereafter to be issued in relation to labor (orders of individual establishments, instructions, rules of internal management, etc.), as well as individual contracts and agreements, shall be valid only in so far as they do not conflict with this Code.

IV. All labor agreements previously entered into, as well as all those which will be entered into in the future, in so far as they contradict the regulations of this Code shall not be considered valid or obligatory, either for the employees or for the employers.

V. In enterprises and establishments where the work is carried on in the form of organized co-

operation (Section 6, Division (a) of the present Labor Code) the wage earners must be allowed the widest possible self-government under the supervision of the Central Soviet authorities. On this basis alone can the working masses be successfully educated in the spirit of socialist and communal government.

VI. The labor conditions in the communal enterprises organized as well as supported by the Soviet institutions (agricultural and other communes) are regulated by special rules of the All-Russian Central Executive Committee and of the Council of People's Commissars, and by instructions of the People's Commissariats of Agriculture and Labor.

The labor conditions of farmers on land assigned them for cultivation are regulated by the Code of Rural Laws.

The labor conditions of independent artisans are regulated by special rules of the Commissariat of Labor.

ARTICLE I

On Compulsory Labor

1. All citizens of the Russian Socialist Federal Soviet Republic, with the exceptions stated in sections 2 and 3, shall be subject to compulsory labor.

2. The following persons shall be exempt from compulsory labor:

(a) Persons under 16 years of age;

(b) All persons over 50 years;

(c) Persons who have become incapacitated by injury or illness.

3. Temporarily exempt from compulsory labor are:

(a) Persons who are temporarily incapacitated owing to illness or injury, for a period necessary for their recovery;

(b) Women, for a period of 8 weeks before and 8 weeks after confinement.

4. All students shall be subject to compulsory labor at the schools.

5. The fact of permanent or temporary disability shall be certified after a medical examination by the Bureau of Medical Survey in the city, district or province, by the accident insurance office or its agencies, according to the place of residence of the person whose disability is to be certified.

Note I. Rules for the examination of disabled workmen are appended hereto (page 36).

Note II. Persons subject to compulsory labor but not engaged in useful public work may be summoned by the local Soviets for the execution of public work, on conditions determined by the local Departments of Labor in agreement with the local Councils of trade unions.

6. Labor may be performed in the form of—

(a) Organized cooperation;

(b) Individual personal services;

(c) Individual special jobs.

7. Labor conditions in Government (Soviet) establishments shall be regulated by scale rules approved by the Central Soviet authorities through the People's Commissariat of Labor.

8. Labor conditions in all establishments (Soviet, nationalized, public and private) shall be regulated by scale rules drafted by the trade unions, in agreement with the directors or owners of establishments and enterprises, and approved by the People's Commissariat of Labor.

Note. In cases where it is impossible to arrive at an understanding with the directors or owners of establishments or enterprises, the scale rules shall be drawn up by the trade unions and submitted for approval to the People's Commissariat of Labor.

9. Labor in the form of individual personal service or in the form of individual special jobs shall be regulated by scale rules drafted by the respective trade unions and approved by the People's Commissariat of Labor.

ARTICLE II

The Right to Work

10. All citizens able to work have the right to employment at their vocations and for remuneration fixed for such class of work.

Note. The District Exchange Bureau of the Division of Labor Distribution may, by agreement with the respective labor bodies, assign individual workers or groups of them to work at other trades if there is no demand for labor in the vocations of the persons in question.

11. The right to work belongs first of all to those who are subject to compulsory labor.

12. Of the classes exempt from compulsory labor, only those mentioned in subdivision "b" of section 2 shall have the right to work.

13. Those mentioned in subdivisions "a" and "c" of section 2 shall absolutely have no right to work, and those mentioned in section 3 shall temporarily have no right to work.

14. All persons of the female sex and those of the male sex under 18 years of age, shall have no right to work during night time or in those branches of industry where the conditions of labor are especially hard or dangerous.

Note. A list of especially hard and health-endangering occupations shall be prepared by the Division of Labor Protection of the People's Commissariat of Labor, and shall be published in the month of January of each year in the *Compilation of Laws and Regulations of the Workmen's and Peasants' Government*.

ARTICLE III

Methods of Labor Distribution

15. The enforcement of the right to work shall be secured through the Division of Labor Distribution, through trade unions, and through all the institutions of the Russian Socialist Federal Soviet Republic.

16. The assignment of workers to work shall be effected through the Division of Labor Distribution.

17. A worker may be summoned to work, save by the Division of Labor Distribution, only when chosen for a position by a Soviet institution or enterprise.

18. Vacancies may be filled by election when the work offered requires political reliability or unusual special knowledge, for which the person elected is noted.

19. Persons engaged for work by election must register with the Division of Labor Distribution before they are accepted, but they shall not be subject to the rules concerning probation which are set forth in Article IV of the present Code.

20. Unemployed persons shall be registered to work through the Division of Labor Distribution in the manner stated in sections 21 to 30.

21. A worker who is not engaged in work at his vocation shall register with the local Division of Labor Distribution as unemployed.

22. Establishments and individuals in need of workers shall apply to the local Division of Labor Distribution or its division (Correspondence Bureau) stating the condition of the work offered as well as the requirements which the workmen must meet (trade, knowledge, experience).

23. The Division of Labor Distribution on receipt of the application mentioned in section 22, shall assign the persons meeting the requirements thereof in the order determined by the same.

24. An unemployed person has no right to refuse an offer to work at his vocation, provided the working conditions conform with standards fixed by the respective scale

regulations, or in the absence of the same by the trade unions.

25. A worker assigned to work for a period of not more than two weeks, shall be considered unemployed, and shall not lose his place on the list of the Division of Labor Distribution.

26. Should the local Division of Labor Distribution have no workers on its lists meeting the stated requirements, the application shall be immediately sent to the District Exchange Bureau, and the establishment or individual offering the employment shall be simultaneously notified to this effect.

27. Whenever workers are required for work outside of their district, a roll-call of the unemployed registered with the Division of Labor Distribution shall take place, to ascertain who are willing to go; if a sufficient number of such should not be found, the Division of Labor Distribution shall assign the lacking number from among the unemployed in the order of their registration, provided that those who have dependents must not be thus assigned before single persons.

28. If in the Division of Labor Distribution, within the limits of the district, there be no workmen meeting the requirements, the District Exchange Bureau has the right, upon agreement with the respective trade union, to send unemployed from another class approaching as nearly as possible the trade required.

29. An unemployed person who is offered work outside his vocation shall be obliged to accept it, with the understanding, if he so desires, that this be only temporary, until he receives work at his vocation.

30. A worker who is working outside his vocation, and who has expressed the desire that this be only temporary, shall retain his place on the register of the Division of Labor Distribution until he secures work at his vocation.

31. Private individuals violating the rules of labor distribution set forth in this article shall be punished, by order of the local board of the Division of Labor Distribution, by a fine of not less than 300 rubles or by arrest for not less than one week. Soviet establishments and officials violating these rules of labor distribution shall be liable to prosecution for malfeasance in office.

ARTICLE IV

Probation Period

32. Final acceptance of workers for permanent employment shall be preceded by a period of probation of not more than six days; in Soviet institutions the probation period shall be two weeks for unskilled and less responsible work and one month for skilled and responsible work.

33. According to the results of the probation the worker shall either be given a permanent appointment, or rejected with payment for the period of probation in accordance with the scale rates.

34. The results of the probation (acceptance or rejection) shall be immediately communicated to the Division of Labor Distribution.

35. Up to the expiration of the probation period, the worker shall be considered as unemployed, and shall retain his place on the eligible list of the Division of Labor Distribution.

36. A person who, after probation, has been rejected, may appeal from this decision to the union of which he is a member.

37. If the trade union deems the appeal mentioned in the preceding section justified, it shall enter into negotiations with the establishment or person who has rejected the worker, with the request that the complainant be accepted.

38. In case of failure of the negotiations mentioned in section 37, the matter shall be submitted to the local Department of Labor, whose decision shall be final and subject to no further appeal.

39. The Department of Labor may demand that the person or establishment who has without sufficient reason rejected a worker provide the latter with work. Furthermore, it may demand that the said person or establishment compensate the worker according to the scale rates for time lost between his rejection and final acceptance pursuant to the decision of the Department of Labor.

ARTICLE V

Transfer and Discharge of Workers

40. Transfer of workers in all enterprises, establishments, or institutions employing paid labor is allowed only if required in the interest of the business and by the decision of the proper organ of management.

Note. This rule does not apply to work with private individuals employing paid labor, if the work is of the character mentioned in subdivisions "b" and "c" of Section 6.

41. The transfer of a worker to other work within the enterprise, establishment or institution where he is employed may be ordered by the management of said enterprise, establishment or institution.

42. The transfer of a worker to another enterprise, establishment or institution situated in the same or in another locality, may be ordered by the corresponding organ of management with the consent of the Division of Labor Distribution.

43. The order of the management for the transfer of a worker in accordance with Section 40 may be appealed from to the proper Department of Labor (local or district) by the interested individuals or organizations.

44. The decision of the Department of Labor in the matter of the transfer of a worker may be appealed from by the interested parties to the District Department of Labor or to the People's Commissariat of Labor, whose decision in the matter in dispute is final and not subject to further appeal.

45. In case of urgent public work the District Department of Labor may in agreement with the respective labor bodies and with the approval of the People's Commissariat of Labor, order the transfer of a whole group of workers from the organization where they are employed to another organization in the same or in a different locality, provided a sufficient number of volunteers for such work cannot be found.

46. The discharge of workers from an enterprise, establishment or institution where they have been employed is permissible in the following cases:

(a) In case of complete or partial liquidation of the enterprise, establishment or institution, or of cancellation of specific orders or work;

(b) Upon the expiration of the term of employment or completion of the job, if the work was of a temporary character;

(c) In case of evident unfitness for work, by special decision of the management and subject to agreement with the respective trade unions;

(d) By request of the worker.

47. The management of the enterprise, establishment or institution where a worker is employed, or the person for whom a worker is working must give the worker two weeks' notice of the proposed discharge, for the reasons stated in subdivisions "a," "b" and "c" of section 46, notifying simultaneously the local Division of Labor Distribution.

48. A worker discharged for the reasons stated in subdivisions "a," "b" and "c" of section 46 shall be considered unemployed from the date of the notice of discharge and entered as such on the lists of the Division of Labor Distribution and shall continue to perform his work until the expiration of the term of two weeks mentioned in the preceding section.

49. The order to discharge an employee for the reasons stated in subdivisions "a," "b" and "c" of Section 46 may be appealed from by the interested persons to the Local Department of Labor.

50. The decision of the Local Department of Labor in the matter of discharge may be appealed from by either party to the District Department of Labor, whose decision on the question in dispute is final and not subject to further appeal.

51. Voluntary resignation by the worker (Section 46, subdivision "d") from an enterprise, establishment or institution must be preceded by an examination of the reasons for the resignation by the respective organ of workers' self-government (works and kindred committees).

Note. This rule does not apply to the resignation of a worker employed by an individual, if the work is of

the character mentioned in subdivisions "b" and "c" of Section 6.

52. If the organ of workers' self-government (works or kindred committee) after investigating the reasons for the resignation finds the same unjustified, the worker must remain at work, but may appeal from the decision of the committee to the proper trade union.

53. A worker who quits work contrary to the decision of the Committee made pursuant to Section 52, shall forfeit for one week the right to register with the Division of Labor Distribution.

54. Institutions and persons employing paid labor shall, whenever a worker quits work, inform thereof the Local Division of Labor Distribution and the trade union of which the worker is a member, stating the date and the reason.

ARTICLE VI

Remuneration of Labor

55. The remuneration of workers in enterprises, establishments and institutions employing paid labor, and the particular conditions and manner of payment shall be fixed by scales worked out for each kind of labor in the manner described in Sections 7 to 9 of the present Code.

56. In fixing the scale standards the institutions which work out the same must not deviate from the provisions of this article of the Code of Labor Laws.

57. The institutions which work out the scales, shall, in fixing the rates of remuneration, divide all the workers into groups and categories and a definite standard of remuneration shall be fixed for each of them.

58. The standard of remuneration fixed by the scale rates must be at least sufficient to provide for the minimum living expenses as determined by the People's Commissariat of Labor for each district of the Russian Socialist Federal Soviet Republic and published in the *Compilation of Laws and Regulations of the Workmen's and Peasants' Government*.

59. In determining the standard of remuneration for each group and category attention shall be given to the kind of labor, the danger of the conditions under which the work is performed, the complexity and accuracy of the work, the degree of independence and responsibility as well as the standard of education and experience required for the performance of the work.

60. The remuneration of each worker shall be determined by his classification in a definite group and category.

61. The classification of workers into groups and categories within each branch of labor shall be made by special valuation commissions, local and central, established by the respective trade unions.

Note. The procedure of valuation commissions shall be determined by the People's Commissariat of Labor.

62. The scale rules shall fix the rates of remuneration for a normal working day or for piece work, and shall also specify the remuneration for overtime work.

63. Remuneration for piece work shall be computed by dividing the daily scale rate by the number of pieces constituting the production standard.

64. The standard of remuneration fixed for overtime work shall not exceed time and a half of the normal remuneration.

65. Excepting the remuneration paid for overtime work done in the same or in a different branch of labor, no supplementary remuneration in excess of the standard fixed for a given group and category shall be permitted, irrespective of the pretext and form under which it might be offered and whether it be paid in only one or in several places of employment.

66. Persons working in several places must state in which place of employment they desire to receive their pay.

67. Any person receiving supplementary remuneration, in violation of Section 65, shall be liable to criminal prosecution for fraud, and the remuneration received in excess of the standard shall be deducted from subsequent payments to such person.

68. From the remuneration of the worker may be deducted the supplementary remuneration received in violation of Section 65, and the remuneration earned by the worker during his vacation (Section III); deduction may also be made for absence from work.

69. No other deductions, except those mentioned in Section 68, shall be permitted irrespective of the form or pretext under which they might be made.

70. Payment of remuneration must not be made in advance.

71. If the work is of a permanent nature, payment for the same must be made periodically, at least once in every fortnight. Remuneration for temporary work and for special jobs, if the same continue less than two weeks, shall be paid immediately after the work has been completed.

72. Payments shall be made in money or in kind (lodgings, food supplies, or other articles).

73. To make payments in kind special permission must be obtained from the Local Department of Labor which

shall determine the rates jointly with the respective trade unions.

Note. The rates thus determined must be based on the standard prices fixed by the respective institutions of the Soviet authority (valuation commission of the Food Commissariat and the Land and Housing Department, Price Committees, etc.).

74. Payment must be made during working hours.

75. Payments must be made at the place of work.

76. The worker shall be paid only for actual work done. If a cessation of work is caused during the working day by circumstances beyond the control of the worker (through accident or through the fault of the administration), he shall be paid for the time lost, on the basis of the daily scale rates, if he be employed on time work, or on the basis of his average daily earnings if he be employed on piece work.

77. A worker shall be paid his wage during leave of absence (Sections 106-107).

78. During illness of a worker the remuneration due him shall be paid as a subsidy from the hospital fund.

Note. The manner of payment of the subsidy is fixed by rules appended hereto (page 39).

79. Unemployed shall receive a subsidy out of the fund for unemployed.

Note. Rules concerning unemployed and the payment of subsidies to them are appended hereto (page 41).

80. Every worker must have a labor booklet in which all matters pertaining to the work done by him, as well as the payments and subsidies received by him, are to be entered.

Note. Rules regarding labor booklets are appended hereto (page 44).

ARTICLE VII

Working Hours

81. Working hours shall be regulated by rules made for each kind of labor, in the manner described in Sections 7 to 9 of the present Code.

82. The rules relating to working hours must conform with the provisions of this article of the Code of Labor Laws.

83. A normal working day shall mean the time fixed by the scale regulations for the production of a certain amount of work.

84. The duration of a normal working day must in no case exceed eight hours for day work and seven hours for night work.

85. The duration of a normal day must not exceed six hours: (a) for persons under 18 years of age, and (b) in especially hard or health-endangering branches of industry (note to Section 14 of the present Code).

86. During the normal working day time must be allowed for meals and for rest.

87. During recess machines, beltings and lathes must be stopped, unless this be impossible owing to technical conditions or in cases where these machines, belting, etc., serve for ventilations, drainage, lighting, etc.

88. The time of recess fixed by Section 86 is not included in the working hours.

89. The recess must take place not later than four hours after the beginning of the working day, and must continue not less than a half hour and not more than two hours.

Note. Additional intermissions every three hours, and for not less than a half hour, must be allowed for working women who are nursing children.

90. The wage earners may use their free time at their own discretion. They shall be allowed during recess to leave the place of work.

91. In case the nature of the work requires a working day in excess of the normal working day fixed for the given class of labor, two or more shifts may be engaged.

92. Where there are several shifts, each shift shall work the normal working day; the change of shifts must take place during the time fixed by the rules of the internal management without interfering with the normal course of work.

93. As a general rule, work in excess of the normal hours (overtime work) shall not be permitted.

94. Overtime work may be permitted in the following exceptional cases:

(a) Where the work is necessary for the prevention of a public calamity or in case the existence of the Government of the Russian Socialist Federal Soviet Republic or human life is endangered;

(b) In emergency public work connected with water supply, lighting, sewerage or transportation, in case of accident or extraordinary interruption of their regular operation;

(c) When work has to be completed which owing to unforeseen or accidental delay due to technical conditions of production could not be completed during the normal working hours, if leaving the work unfinished would cause damage to materials or machinery;

(d) On repairs or renewal of machine parts or construction work, wherever necessary to prevent stoppage of work by a considerable number of workers.

95. In the case described in subdivision "c" of Section 94, overtime work is permissible only with the consent of the respective trade unions.

96. For overtime work described in subdivision "d" of Section 94 permission must be obtained from the local labor inspection, in addition to the permit mentioned in the preceding section.

97. No females and no males under 18 years of age may do any overtime work.

98. The time spent on overtime work in the course of two consecutive days must not exceed 4 hours.

99. No overtime work shall be permitted to make up for a worker's tardiness in reporting at his place of work.

100. All overtime work done by a worker, as well as the remuneration received by him for the same, must be recorded in his labor booklet.

101. The total number of days on which overtime may be permitted in any enterprise, establishment or institution must not exceed 50 days per annum, including such days when even one worker worked overtime.

102. Every enterprise, establishment or institution must keep a special record book for overtime work.

103. All workers must be allowed a weekly uninterrupted rest of not less than 42 hours.

104. No work shall be done on specially designated holidays.

Note. Rules concerning holidays and days of weekly rest are appended hereto.

105. On the eve of rest days the normal working day shall be reduced by two hours.

Note. This section shall not apply to institutions and enterprises where the working day does not exceed six hours.

106. Every worker who has worked without interruption not less than six months shall be entitled to leave of absence for two weeks, irrespective of whether he worked in only one or in several enterprises, establishments or institutions.

107. Every worker who has worked without interruption not less than a year shall be entitled to leave of absence for one month, irrespective of whether he worked in only one or in several enterprises, establishments or institutions.

Note. Sections 106 and 107 shall take effect beginning January 1, 1919.

108. Leave of absence may be granted during the whole year, provided that the same does not interfere with the normal course of work in the enterprise, establishment or institution.

109. The time and order in which leave of absence may be granted shall be determined by agreement between the management of the enterprise, establishment or institution and proper self-government bodies of the workers (works and kindred committees).

110. A worker shall not be at liberty to work for remuneration during his leave of absence.

111. The remuneration of a worker earned during his leave of absence shall be deducted from his regular wages.

112. The absence of a worker from work caused by special circumstances and permitted by the manager shall not be counted as leave of absence; the worker shall not be paid for the working hours lost in such cases.

ARTICLE VIII

Methods to Secure Efficiency of Labor

113. In order to secure efficiency of labor, every worker in an enterprise, establishment or institution (governmental, public or private) employing paid labor in the form of organized cooperation, as well as the administration of the enterprise, establishment or institution, shall strictly observe the rules of this article of the Code relative to standards of efficiency, output and rules of internal management.

114. Every worker must during a normal working day and under normal working conditions perform the standard amount of work fixed for the category and group in which he is enrolled.

Note. Normal conditions referred to in this section shall mean:

- (a) Good condition of machines, lathes and accessories;
- (b) Timely delivery of materials and tools necessary for the performance of the work;
- (c) Good quality of materials and tools;
- (d) Proper hygienic and sanitary equipment of the buildings where the work is performed (necessary lighting, heating, etc.).

115. The standard output for workers of each trade and of each group and category shall be fixed by valuation commissions of the respective trade unions (Section 61).

116. In determining the standard output the valuation commission shall take into consideration the quantity of products usually turned out in the course of a normal working day and under normal technical conditions by the workers of the particular trade, group and category.

117. The production standards of output adopted by the valuation commission must be approved by the proper Department of Labor jointly with the Council of National Economy.

118. A worker habitually producing less than the fixed standard may be transferred by decision of the proper valuation commission to other work in the same group and category, or to a lower group or category, with a corresponding reduction of wages.

Note. The worker may appeal from the decision to transfer him to a lower group or category with a reduction of wages, to the local Department of Labor and from the decision of the latter to the District Department of Labor, whose decision shall be final and not subject to further appeal.

119. If a worker's failure to maintain the standard output be due to lack of good faith and to negligence on his part, he may be discharged in the manner set forth in subdivision "c" of Section 46 without the two weeks' notice prescribed by Section 47.

120. The Supreme Council of National Economy jointly with the People's Commissariat of Labor may direct a general increase or decrease of the standards of efficiency and output for all workers and for all enterprises, establishments and institutions of a given district.

121. In addition to the regulation of the present article relative to standards of efficiency and output in enterprises, establishments and institutions, efficiency of labor shall be secured by rules of internal management.

122. The rules of internal management in Soviet institutions shall be made by the organs of Soviet authority with the approval of the People's Commissariat of Labor or its local departments.

123. The rules of internal management in industrial enterprises and establishments (Soviet, nationalized, private and public) shall be made by the trade unions and certified by the proper Departments of Labor.

124. The rules of internal management must include clear, precise, and, as far as possible, exhaustive directions in relation to—

(a) The general obligations of all workers (careful handling of all materials and tools, compliance with instructions of the managers regarding performance of work, observance of the fixed standard of working hours, etc.);

(b) The special duties of the workers of the particular branch of industry (careful handling of the fire in enterprises using inflammable materials,

observance of special cleanliness in enterprises producing food products, etc.);

(c) The limit and manner of liability for breach of the duties mentioned above in subdivisions "a" and "b".

125. The enforcement of rules of internal management in Soviet institutions is entrusted to the responsible managers of these institutions.

126. The enforcement of the rules of internal management in industrial enterprises and establishments (Soviet, nationalized, public and private) is entrusted to the self-government bodies of the workers (works or similar committees).

ARTICLE IX

Protection of Labor

127. Protection of the life, health and labor of persons engaged in any economic activity is entrusted to the labor inspection, the technical inspectors and the representatives of sanitary inspection.

128. The labor inspection is under the jurisdiction of the People's Commissariat of Labor and its local branches (Departments of Labor) and is composed of elected labor inspectors.

129. Labor inspectors shall be elected by the Councils of Trade Unions.

Note I. The manner of election of labor inspectors shall be determined by the People's Commissariat of Labor.

Note II. In districts where there is no Council of Trade Unions, the Local Department of Labor shall summon a conference of representatives of the trade unions which shall elect the labor inspectors.

130. In performing the duties imposed upon them concerning the protection of the lives and health of workers the officers of labor inspection shall enforce the regulations of the present Code, and the decrees, instructions, orders and other acts of the Soviet authority intended to safeguard the lives and health of the workers.

131. For the attainment of the purposes stated in Section 130 the officers of labor inspection are authorized—

(a) To visit at any time of the day or night all the industrial enterprises of their districts and all places where work is carried on, as well as the buildings provided for the workmen by the enterprise (rooming houses, hospitals, day nurseries, baths, etc.);

(b) To require the managers of enterprises or establishments, as well as the elective officials of the workers (works and similar committees) of those enterprises or establishments in the management of which they are participating, to produce all necessary books, records and information;

(c) To draw to the work of inspection representatives of the elective organizations of employees, as well

as officials of the administration (managers, superintendents, foremen, etc.) ;

(d) To bring before the criminal court all violators of the regulations of the present Code, or of the decrees, instructions, orders and other acts of the Soviet authority intended to safeguard the lives and health of the workers;

(e) To take part in the proceedings of trade unions and works committees for the purpose of ascertaining the labor conditions in individual enterprises as well as in entire branches of industry.

132. The officers of labor inspection are authorized to adopt special measures, in addition to the measures mentioned in the preceding section, for the removal of conditions endangering the lives and health of workmen, even if such measures have not been provided for by any particular law or regulation, instructions or order of the People's Commissariat of Labor or of the Local Department of Labor.

Note. Upon taking special measures to safeguard the lives and health of workers, as authorized by the present section, the officers of the inspection shall immediately report thereof to the Local Department of Labor, which may either approve these measures or reject them.

133. The scope of the forms of activity of the organs of labor inspection shall be determined by instructions and orders issued by the People's Commissariat of Labor.

134. The enforcement of the instructions, rules and regulations relating to safety appliances is entrusted to the technical inspectors.

135. The technical inspectors shall be appointed by the local Divisions of Labor from among engineering specialists; these inspectors shall perform within their jurisdiction the duties prescribed by Section 131 of the present Code.

136. The technical inspectors shall be guided in their activity, besides the general regulations, by the instructions and orders of the People's Commissariat of Labor and by the instructions issued by the technical division of the local Division of Labor.

137. The activity of the sanitary inspection shall be determined by instructions issued by the People's Commissariat of Health Protection jointly with the People's Commissariat of Labor.

APPENDIX TO SECTION 5

(See page 15 above)

Rules for the Determination of Disability for Work

1. Disability for work shall be determined by an examination of the applicant by the Bureau of Medical Experts, of the city, regional, or provincial insurance fund, as well as of accident insurance funds, or institutions acting as such.

Note. In case it be impossible to organize a Bureau of Medical Experts at any insurance office, such a Bureau may be organized at the Medical Sanitary Department of the local Soviet, provided, however, that the said Bureau shall be guided in its actions by the general rules and instructions for insurance funds.

2. The staff of the Bureau of Experts shall include:
- (a) Not less than three physicians;
 - (b) Representatives of the Board of Directors of the insurance fund;
 - (c) Sanitary mechanical engineers appointed by the Board of the insurance fund;
 - (d) Representatives of the trade unions.

Note. The physicians on the staff of the Bureau shall be recommended by the medical sanitary department, with the consent of the Board of Directors, preferably from among the physicians connected with the hospital fund, and shall be confirmed by a general meeting of the insurance fund.

3. During the examination of a person at the Bureau of the Medical Commission, all persons who have applied for the examination may be present.

4. Proceedings for the determination of the loss of working ability may be instituted by any person or institution.

5. Applications for examination shall be made to the insurance office nearest to the residence of the person in question.

6. Examination shall take place in a special room of the insurance office.

Note. If the person to be examined cannot be brought to the insurance office, owing to his condition, the examination may take place at his residence.

7. Every person who is to be examined at the Bureau of Medical Experts shall be informed by the respective insurance office of the day and hour set for the examination and of the location of the section of the Bureau of Medical Experts where the same is to take place.

8. The Bureau of Medical Experts may use all methods approved by medical science for determining disability for work.

9. The Bureau of Medical Experts shall keep detailed minutes of the conference meetings, and the record embodying the results of the examination shall be signed by all members of the Bureau.

10. A person who has undergone an examination and has been found unfit for work shall receive a certificate from the Bureau of Medical Experts.

Note. A copy of the certificate shall be kept in the files of the Bureau.

11. The records as well as the certificates shall show whether the disability is of a permanent or temporary character. If the disability for work be temporary, the record and certificate shall show the date set for a second examination.

12. After the disability for work has been certified the proper insurance office shall inform thereof the Department of Social Insurance of the local Soviet, stating the name, surname and address of the person disabled, as well as the character of the disability (whether temporary or permanent).

13. The decision of the Bureau of Medical Experts certifying or denying the disability of the applicant may be appealed from by the interested parties to the People's Commissariat of Health Protection.

14. The People's Commissariat of Health Protection may either dismiss the appeal or issue an order for the re-examination of appellant by a new staff of the Bureau of Experts.

15. The decision of the new staff of the Bureau of Experts shall be final and subject to no further appeal.

16. Re-examination to establish the recovery of working ability shall be conducted in the same manner as the first examination, with the observance of the regulations of the present Rules.

17. The expenses incurred in connection with the examination of an insured person shall be charged to the respective insurance office. The expenses incurred in connection with the examination of a person not insured shall be charged to the respective enterprise, establishment or institution.

18. The People's Commissariat of Labor may, if necessary, modify or amend the present Rules for the determination of disability for work.

APPENDIX TO SECTION 78

(See page 26 above)

Rules Concerning Payment of Sick Benefits (Subsidies) to Workers

1. Every worker shall receive during sickness a subsidy and medical aid from the local hospital fund of which he is a member.

Note I. Each person may be a member of only one insurance fund at a time.

Note II. A person who has been ill outside the district of the local hospital fund of which he is a member shall receive the subsidy from the hospital fund of the district in which he has been taken ill. All expenses thus incurred shall be charged to the hospital fund of which the particular person is a member.

2. The sick benefits shall be paid to a member of a hospital fund from the first day of his sickness until the day of his recovery, with the exception of those days during which he has worked and accordingly received remuneration from the enterprise, establishment or institution where he is employed.

3. The sick benefit shall be equal to the remuneration fixed for a worker of the respective group and category.

Note I. The group and category in which the worker is enrolled shall be ascertained by the local hospital fund through the Division of Labor Distribution and through the trade unions.

Note II. The subsidy for pregnant women and those lying-in shall be fixed by special regulations of the People's Commissariat of Labor.

Note III. In exceptional cases the People's Commissariat of Labor may reduce the subsidy to the minimum of living expenses as determined for the respective district.

4. Besides the subsidies, the hospital funds shall also provide for their members free medical aid of every kind (first aid, ambulatory treatment, home treatment, treatment in sanatoria or resorts, etc.).

Note. To secure medical aid any hospital fund may independently, or in conjunction with other local funds, organize and maintain its own ambulatories, hospitals, etc., as well as enter into agreements with individual physicians and establishments.

5. The resources of the local hospital funds shall be derived:

(a) From obligatory payments by enterprises, establishments and institutions (Soviet, public and private) employing paid labor;

(b) From fines for delay of payments;

(c) From profits on the investments of the funds;

(d) From casual payments.

Note. The resources of the local hospital funds shall be consolidated into one common fund of insurance against sickness.

6. The amount of the payments to local hospital funds by enterprises, establishments and institutions employing paid labor shall be periodically fixed by the People's Commissariat of Labor.

Note I. In case these obligatory payments be not paid within the time fixed by the local hospital funds, they shall be collected by the local Department of Labor; moreover, in addition to the sum due, a fine of 10 per cent. thereof shall be imposed for the benefit of the hospital fund.

Note II. In case the delay be due to the fault of the responsible managers of the particular enterprise, establishment, or institution, the fine shall be collected from the personal means of the latter.

7. The decision of the hospital funds may be appealed from within two weeks to the Department of Labor. The decision of the Departments of Labor shall be final and subject to no further appeal.

8. The People's Commissariat of Labor may, whenever necessary, change or amend the foregoing rules concerning sick benefits to workers.

APPENDIX TO SECTION 79

(See page 26 above)

Rules Concerning Unemployed and Payment of Subsidies

1. "Unemployed" shall mean every citizen of the Russian Socialist Federal Soviet Republic subject to labor duty who is registered with the local Division of Labor Distribution as being out of work at his vocation or at the remuneration fixed by the proper tariff.

2. "Unemployed" shall likewise mean:

(a) Any person who has obtained employment for a term not exceeding two weeks (Section 25 of the present Code);

(b) Any person who is temporarily employed outside his vocation, until he shall obtain work at his vocation (Sections 29 and 30 of the present Code).

3. The rights of unemployed shall not be extended—

(a) To persons who in violation of Sections 21, 24 and 29 of the present Code, have evaded the labor duty, and refused work offered to them;

(b) To persons not registered as unemployed with the local Division of Labor Distribution (Section 21 of the present Code);

(c) To persons who have wilfully quit work, during the term specified in Section 53 of the present Code.

4. All persons described in Sections 1 and 2 of these Rules shall be entitled to permanent employment (for a term exceeding two weeks) at their vocations in the order of priority determined by the list of the Division of Labor Distribution for each vocation.

5. Persons described in Section 1 and subdivision "b" of Section 2 of these Rules shall be entitled to a subsidy from the local fund for unemployed.

6. The subsidy to unemployed provided in Section 1 of the present Rules shall be equal to the remuneration fixed by the scale for the group and category to which

the worker was assigned by the valuation commission (Section 61).

Note. In exceptional cases the People's Commissariat of Labor may reduce the unemployed subsidy to the minimum of living expenses as determined for the district in question.

7. A worker employed temporarily outside of his vocation (Subdivision "b" of Section 2 of these Rules) shall receive a subsidy equal to the difference between the remuneration fixed for the group and category in which he is enrolled and his actual remuneration, in case the latter be less than the former.

8. An unemployed who desires to avail himself of his right to a subsidy shall apply to the local fund for unemployed and shall present the following documents: (a) his registration card from the local Division of Labor Distribution; and (b) a certificate of the valuation commission showing his assignment to a definite group and category of workers.

9. Before the subsidy is paid the fact of unemployment and the reason thereof must be verified and the group and category to which the unemployed belongs must be ascertained. The verification shall be made by the local fund for unemployed, with the assistance of the Division of Labor Distribution and the respective trade union.

10. The local fund for unemployed may for good reasons deny the application for a subsidy.

11. If an application is denied, the local fund for unemployed shall, within three days from the filing of the application, inform the applicant thereof.

12. The decision of the local fund for unemployed may within two weeks be appealed from by the interested parties to the local Department of Labor, and the decision of the latter may be appealed from to the District Department of Labor. The decision of the District Department of Labor shall be final and subject to no further appeal.

13. The payment of the subsidy to an unemployed shall commence only after he has actually been laid off, but not later than after the fourth day.

14. The subsidies shall be paid from the fund of unemployment insurance.

15. The fund of unemployment insurance shall be made up—

- (a) from obligatory payments by all enterprises, establishments and institutions employing wage labor;
- (b) from fines and penalties imposed for arrears in such payments;
- (c) from casual income.

16. The amount and the manner of collection of the payments and fines mentioned in Section 15 of these Rules shall be determined every year by a special order of the People's Commissariat of Labor.

APPENDIX TO SECTION 80

(See page 26 above)

Rules Concerning Labor Booklets

1. All able-bodied citizens of the Russian Socialist Federal Soviet Republic, upon their assignment by the valuation commissariat of the trade unions to a definite group and category (Section 61 of the present Code), shall be given labor booklets free of charge.

Note. The form of the labor booklets shall be worked out by the People's Commissariat of Labor.

2. Each worker, on entering the employment of an enterprise, establishment or institution employing paid labor in the form of organized cooperation, shall present his labor booklet to the management thereof, and on entering the employment of a private individual, to the latter.

Note. A copy of the labor booklet shall be kept by the management of the enterprise, establishment, institution or by the private individual by whom the worker is employed.

3. All work performed by a worker during the normal working day as well as piece work or overtime work, and all payments received by him as worker (remuneration in money or in kind, subsidies from the unemployment and hospital funds), must be entered in his labor booklet.

Note. In the labor booklet must also be entered the leaves of absence and sick leave of the worker, as well as the fines imposed on him during and on account of his work.

4. Each entry in the labor booklet must be dated and signed by the person making the entry, and also by the worker (if the latter is literate), who thereby certifies the correctness of the entry.

5. The labor booklet shall contain:

(a) The name, surname and date of birth of the worker;

(b) The name and address of the trade union of which the worker is a member;

(c) The group and category to which the worker has been assigned by the valuation commission.

6. Upon the discharge of a worker, his labor booklet shall under no circumstances be withheld from him. Whenever an old booklet is replaced by a new one, the former shall be left in possession of the worker.

7. In case a worker loses his labor booklet, he shall be provided with a new one into which shall be copied all the entries of the lost booklet; in such a case a fee determined by the rules of internal management may be charged to the worker for the new booklet.

8. A worker must present his labor booklet upon the request:

(a) Of the managers of the enterprise, establishment or institution where he is employed;

(b) Of the Division of Labor Distribution;

(c) Of the trade unions;

(d) Of the officials of workmen's control and of labor protection;

(e) Of the insurance offices or institutions acting as such.



Supplement

THE PROTECTION OF LABOR IN
SOVIET RUSSIA

By S. KAPLUN

of the COMMISSARIAT OF LABOR

PROTECTION OF LABOR IN SOVIET RUSSIA.

By S. KAPLUN, of the Commissariat of Labor.

1. *Protection of Labor in Soviet Russia before the establishment of the Soviet Government.*

THE Soviet Government, the government of the workers and the poorest peasants, was the first seriously to raise in Russia the question of social protection of labor.

Under the Czarist Government, which was the embodiment of the whip and the fist, all the instructions and wishes of the landlord class and big manufacturers were faithfully carried out. Naturally enough, factory legislation was in a more backward state than in any other part of the world. In accordance with the Law of 1897, the working day officially was 11½ hours, while in reality the workman was compelled to work far longer than that; this was due to the great amount of overtime—compulsory and “uncompulsory,” the latter only on paper;—in actual life extreme destitution and the complete absence of rights of the workers compelled them fully to submit to all the proposals of the manufacturers. Children were permitted to go to work even at the age of 12; according to the law of 1882 youngsters up to the age of 15 were forbidden to be engaged at night work, whilst during the day their labor was not to exceed 8 hours.

Even these inadequate laws, however, soon appeared to be too great a compromise in the eyes of

the "European gendarme," and subsequently Czarism gave to the manufacturers a great number of loopholes and means to evade the law. The first step in this direction was the permission of uninterrupted 6 hour work instead of the former 4 hour work for children. When working two shifts children were allowed to be engaged for 9 hours a day during the two shifts instead of the maximum 8 hour working day according to the law of 1882. Night work was permitted for children in the glass industry although from a hygienic point of view this is one of the most harmful trades; yet this night work was permitted owing to the fact that it was demanded by the interests of the industrial magnates. Further, the factory inspection was given the right to permit Sunday and holiday work for children. Finally, night work, which was generally prohibited by law to children and women could be sanctioned by the factory and works managements, or by the governor of the gubernia,* in all cases where such children were engaged in work together with their parents, that is to say, this night work became a general rule.

With regard to the protection of woman labor, nothing at all was undertaken. No care whatsoever was taken of the sanitary and hygienic state of factories or workshops. In the sphere of technical safety and safeguards from dangerous machines, the government acted very timidly, almost refraining from establishing any important rules or obligatory regulations.

Little can be said of the rights of the workers. Absolute rule of the employer, endless fines and impositions, dismissals of workers without serious reason, constant interference of the police, and arm-

*Province.

ed force at the first sign of agitation of the workers,—such is the well remembered picture of Russian factory life. Equally little was done in the sphere of social maintenance of the workers in the event of loss of livelihood. Social insurance, which developed by the legislation of 1912, provided only for cases of sickness and accidents. But in spite of the fact that the workers were heavily taxed for state insurance, unemployable men were given a most beggarly assistance. And even here insurance did not by any means embrace all the workers.

Especially important was the character of those organs which were charged with the enforcement of the laws for the protection of labor. The direct agents of supervision were the factory inspectors—state officials who submissively carried out all the instructions of capital.

In accordance with the laws, instructions, and circulars, they were to work in the closest possible collaboration with the police and were even directly subordinated to the governor of the gubernia in question. One of their principal tasks was to prevent strikes and fight every strike that occurred. The leading local organ of factory supervision was the so-called gubernia board of administration for factories and mines. The composition of the board is quite characteristic: the governor presides and the entire upper local hierarchy are members of this board: the vice-governor, the public prosecutor, the chief of police, the chief factory inspector, and the district engineer. To endow the constellation with greater authority, another element interested in protection of labor was introduced, namely: four members of the local

manufacturers and factory proprietors. It is obvious, therefore, that under Czarism protection of labor was actually turned into protection of capital against labor.

When Russian Czarism gave place to that miserable miscarriage—the Coalition Government, representing a mixture of the big industrial bourgeoisie with the anaemic middle class personified by the Socialist-Revolutionaries and the Mensheviks, protection of labor ceased to be a scarecrow. But it is plain enough that the vacillating Menshevik opportunist Ministry of Labor, ever apprehensive of encroaching upon the interests of the bourgeoisie, was not capable of serious work in this sphere. The result of this is that for the 8 months from February to Oct. 1917, only pitiful attempts were made with regard to protection of labor, the most characteristic of which is the project of “labor inspection” consisting in the appointment of higher specialists and of workers who were to act only in the capacity of “assistants.” In every other respect the old Czarist laws remained inviolate, and in addition to this, constant deviation was allowed in the interests of the bourgeoisie upon the first demand of the kings of “national” capital.

II. The Soviet Government and Protection of Labor.

The position radically changed when the revolutionary proletariat overthrew the political, and what is still more important, the economic domination of the propertied classes, and in alliance with the poorest part of the peasantry took the power into its hands. Protection of labor instantly became one of the most important and serious aspects of Soviet work. The importance that was attached to protection of labor by the Soviet Government can be judged from the fact that on the 29th of October, 1917,* four days after the proclamation of proletarian dictatorship, a decree was published on "the length and distribution of working time;" this decree instantly provided an introductory code of laws for the protection of labor, embodying all the old revolutionary demands of the working class, such as the eight hour working day, a number of measures in the field of protection of child and woman labor, and so forth.

Owing to the fact that our industry has been almost entirely nationalized by this time, and is administered by organs of proletarian dictatorship our protection of labor now takes place, not as formerly, in a struggle against the big employers, but on the contrary, in complete agreement and in close collaboration with the industrial organs.

* November 11, 1917. New Style.

Our real achievements in protection of labor increase in proportion to the growth of the power of the Soviet Government and the improvement of its international, political and economic position. The Soviet Government's entire work of labor protection rests on the very effective creative activity of the masses of the workers. For this reason our state organs of labor protection are established by the Trade Unions, and are elected by the Trade Union amalgamations, and their activity is carried on in close contact with the Trade Unions. Finally, labor protection in Russia embraces without exception all wage workers, unlike the Western countries. Our labor protection laws are equally applied to large works and factories, as well as to crafts, to home industries, to transport and agricultural laborers, to clerks, shop assistants and domestic servants.

III. Working Hours

The laws passed as early as November, 1917, have legislated an 8-hour working day, a measure in its time carefully avoided by the compromising government of Kerensky. Subsequently this law was confirmed in the "Code of Labor Laws" issued on the 10th of December 1918. Overtime is allowed only as an exception, in cases where production is of extreme social importance and when it is not possible correspondingly to increase the number of workers or to arrange the work in two or three shifts. In all such cases the sanction is required of the trade unions for tax on all overtime, in addition to which the confirmation of the inspector of labor is also required. All overtime work is

paid for as time and a half. In accordance with the "Code of Labor Laws" the standard of night work for every worker is established as seven hours instead of eight, but is paid for as eight hours.

But not all workers work eight hours. All mental and sedentary workers, in view of the mental strain incurred, have a 6 hour working day. In exceptionally difficult or harmful work, such as tobacco manufacture, gas works, certain chemical works, and so forth, the working day is reduced to 7 and even to 6 hours.

During the working day an interval for dinner is established at every factory, lasting from 30 minutes to 2 hours, during which the worker can recuperate to some extent. Every worker is entitled to a weekly rest which is to consist of 42 hours continuous and uninterrupted. Therefore on the eve of all holidays factories are closed two hours before the usual time. In all work that cannot be stopped even for a single day (as in the case of nurses, engine-drivers, tramways, electric or gas workers, etc.), the workers are afforded a day's rest some other day of the week instead of the regular holiday.

Finally, in Russia for the first time in the history of industry, obligatory leave with the preservation of the full wage or salary has been introduced for all workers and employees. Every worker who has been employed either in one or several places for six continuous months is entitled, according to the "Code of Labor Laws" to a fortnight's leave, those who have worked for a year to a month's leave. In view of the great economic crisis, only a fortnight's leave is permitted at the present time, with the exception of all workers engaged in harmful produc-

tion, as well as children, all of whom are given an additional fortnight's leave.

IV. Protection of Female Labor

One of the most important aspects of the activity of labor protection is the protection of women, which is an essential condition for the health of the children of the proletariat. In accordance with the "Code of Labor Laws," all underground, night and overtime work for women in Russia is forbidden.

Particular attention is paid to pregnant women. Expectant mothers engaged in physical labor are liberated 8 weeks prior to confinement. Women engaged in mental labor, which has a smaller influence than physical labor, upon the child, during the mother's period of pregnancy, are liberated from their work 6 weeks prior to confinement. Every woman worker or employee is fully paid during the whole period of leave. Having given birth, all women are freed from work for another period of 8 weeks in the case of physical workers or 6 weeks in the case of mental workers, with full pay.

To give the mother an opportunity herself to feed the child, which is of great importance for its health and development, a half hour's leave after every three hours of work is granted to every woman who feeds her child by breast. Wherever possible nurseries are established at all large enterprises, where the mother is able to leave her child under proper care during her working hours and feed it during the intervals. In a number of towns special "Mother and Child" houses have been established where the woman worker can pass the last months of her pregnancy as well as the period

of lactation and can learn the art of rearing her child. In addition to this, in order to raise the general level of the life of the mother who feeds her child by breast, every woman worker is granted an additional subsidy during the period of lactation; in Moscow this amounts to 600 roubles per month. Immediately after having given birth, a special grant is made to the extent of a fortnight's minimum pay (720 roubles for Moscow) for the baby's clothes and all other necessities.

All this greatly aids in preserving the health of the woman worker and her capacity to produce healthy normal offspring for the proletariat, which forms an essential basis of the building of the future of the victorious class.

V. Child Labor

In all countries the protection of labor and the protection of children from the heartless exploitation of capital met insurmountable obstacles in the shape of private profits. Only the Soviet Government has set itself to the task of actually saving the young proletarian generation from premature degeneration, the effect produced by hard daily work upon the young and still weak organisms.

According to our laws children under the age of 16 are not allowed to engage in any work. In special cases children of 14 to 16 may be given work, only with the permission of the Labor Inspector and only in such cases where there is acute material need and where it is impossible to establish them in schools, homes and other State institutions. For all young children who have not reached the age of 16, and who are already working in factories, etc., a four-hour working day is established. Minors (between the ages of 16 and 18) do not work longer than six hours a day. All minors who have not reached the age of 18 are forbidden overtime, night work and underground work.

Children of tender age (up to 14 years of age) who are found working in any enterprise are gradually withdrawn from the work; every care being taken that these children are not left idle or without means of existence and thus do not fall into the hands of street speculation. They are

withdrawn from work only when it becomes possible to establish them in schools, in children's communes, or other educational institutions. At the same time, wherever a child gave financial assistance to its family, the latter is correspondingly recompensed. In the withdrawing of children from work as well as in protection of child labor, the League of Youth and the trade unions are participating.

Special care is also taken that children are not engaged in harmful, dangerous or hard work and that their work should at the same time serve as a school for their future occupations. The reduced working day for children and minors is paid fully according to the tariff scale.

VI. Sanitary and Technical Protection of Labor.

The problem of protection of labor is not only the struggle against the degeneration of the proletariat by establishing, by means of legislation, conditions of labor, protection against overwork, and especially against undue strain and exhaustion of its weaker elements, women and children, but also to effect real improvements and changes in the general conditions in which the workman lives. With this object in view special attention is paid to the sanitary and hygienic construction of enterprises, to the housing problem, hospitals, schools, nurseries and so forth. Measures are also taken to prevent accidents, by means of a proper construction of industrial buildings, machinery safeguards, inspection of steam boilers, lifts, and so forth.

It is of course impossible immediately to achieve important results in this sphere. The old form of production, which was mainly concerned with the profit of the owners, took no care whatsoever of the health of the workers. As a result of this we are left with a legacy from the bourgeoisie of close, filthy, dark and technically badly equipped enterprises, in which the worker daily ruins his health and which have acquired the appropriate name of "exhausters." The Soviet Government has commenced a serious battle against dust, high temperature, poisonous fumes and gases and other industrial evils. A number of compulsory regula-

tions of a sanitary and technical character, applying to all enterprises, as well as to individual forms of production, have been established. The organs of inspection of technical and sanitary conditions of labor take all measures for every possible improvement as to safety, industrial hygiene and sanitation.

The housing conditions of the working class are closely connected with their conditions of labor, and therefore the organs of the Protection of Labor pay particular attention to the housing question. Detailed regulations concerning the construction and furnishing, etc., of the houses in connection with the factories and works are issued by the People's Commissariat of Labor. This Commissariat has also drawn up model plans of houses and separate workers' dwellings, as well as of whole workers' settlements where the demands of hygiene fully coincide with comfort and economy. In the various localities every measure is taken to improve the sanitary conditions of the workers' dwellings and to reduce the prevailing lack of room. The entire working class is interested in taking part in the improvement of housing conditions, furnishing, etc., through their factory committees. An extensive sanitary and educational activity is carried on among them for this purpose.

VII. Other Questions of Protection of Labor.

The above questions exhaust by no means the many-sided legislative activity of the Protection of Labor organs in Soviet Russia: it is impossible to deal with them fully in a small pamphlet. I will point out in brief the following aspects of it. At present every worker engaged in physical labor is supplied free of charge with working clothing made according to the requirements of labor protection. In addition to these, in all factories which expose workers to a danger of poisoning, or where the workers are subject to dampness or filth, etc., special protective clothing is supplied. The standard and kind of such clothing and footwear, as well as the category of workers to be supplied, is defined by the People's Commissariat of Labor. All working men and women engaged in harmful trades are supplied with soap, free of charge, in spite of the acute shortage of soap in the Soviet Republic.

Protection of labor includes not only persons employed in the ordinary way but also those who are subject to labor service. The Soviet Government as a proletarian dictatorship which is based on labor makes an effort to assure normal and healthy conditions for the labor of those who have been mobilized for work. Special regulations regarding the application of the Code of Laws to labor service have been drawn up, in connection with which there have also been established special commissions for the proper utilization of labor. The question has

now been put forward regarding the establishment of special organs of the protection of labor in connection with the labor armies. Notwithstanding the difficult conditions of the present moment, the People's Commissariat of Labor is carrying on scientific investigation of harmful trades. In accordance with the fundamental principles of the Soviet Government the working masses themselves are attracted to this work. The Trade Unions in conjunction with doctors and engineers study in detail the circumstances and conditions of work of every individual trade. At the present time the Department of Protection of Labor of the Labor Commissariat is organizing a special institute for the study of labor; a number of experimental laboratories, clinics for trade diseases and cabinets for medical statistics have been established. This Institute is to serve as the first scientific establishment in Russia in connection with questions of the protection of labor, after the type of similar institutions in the largest centres of Western Europe and America. The People's Commissariat of Labor has, at the same time, established an experimental study of the questions of a hygienic labor efficiency. Fully recognizing the necessity of a scientific organization of production, Soviet Russia cannot, however, completely accept the system of Taylor and other American engineers, who fail to take into consideration the interests and the health of the workers. The problem of the hygienic efficiency of labor is to unite all the scientifically correct and rational foundations of the Taylor system with the needs of physiology and labor hygiene.

It is necessary to mention the extensive cultural and educational work which is being carried on

directly at the factories and works, and in the very thick of the working masses, by the organs of labor protection. One of the basic principles of our work is the effort to make of every workman, even of the most backward, an intelligent factor for his own labor protection. To this end the Inspectors of Labor and other workers in the sphere of the protection of labor continuously arrange lectures and reports on various subjects of labor legislation, of the history of the protection of labor, of hygiene, sanitation and safety.

VIII. Inspection of Labor.

One of the chief questions of the organization of labor protection with which the Soviet Government was faced, is the establishment of an institution for the supervision of the proper realization of labor protection laws. The revolutionary elements of the proletariat of all countries have always put forward the demand that labor inspection should be transferred to the labor organizations. But even the so-called "Revolutionary" Government of the first period of the Russian Revolution did not dare to take this measure. Like certain Western European countries, it considered it the maximum of radicalism to admit even as assistants in this inspection, workers who enjoyed no authority or rights. These assistants had no right to be connected with any labor organization and their whole business was to represent a semi-actual representation of the proletariat in the organization of the protection of labor. Only an assistant who had passed four months in this unenviable role of official and who had by this time completely estranged himself from the masses could become an inspector of labor.

The proletarian revolution, of course, instantly put an end to this system and realized the old revolutionary motto of elected labor inspection. By the decree of the 7th of May, 1918, the old labor inspection, hateful to the Russian working class, was demolished, and in its place was established a

purely proletarian labor inspection. The principal decree was furthermore developed and supplemented with a number of orders, instructions and circulars.

Labor inspectors are elected at labor conferences of representatives of trade unions and of factory and works committees of those districts in which they are to serve. Only where the convening of such conferences is impossible, do the elections take place at the local trade union councils. In this way the closest contact between the labor inspectors and the working masses by whom they are delegated is secured. The election process in itself is of the greatest educational and propaganda importance. At these elections working masses become acquainted with the general principles and practice of the protection of labor in Soviet Russia, as well as with the decrees and instructions in connection with labor protection. The delegates visit their localities and make reports concerning the conference, and in this manner obtain the direct participation of the masses in the work of labor protection.

Upon his election, the Inspector of Labor, though directly subordinated to the Labor Department works at the same time in close contact with all the local trade unions and also carries out all the instructions of the local council of trade unions, which is empowered to withdraw any inspector who may turn out to be inefficient. The supervision of the labor inspector includes all the workers and employees of his district, independent of whether they are engaged in small or large branches of industry, in private or state factories, in civil, military or militarized enterprises or institutions.

The labor inspector makes a systematic tour of all the industrial enterprises and institutions of his district, which he is authorized freely to enter at any time of the day or night, as well as to visit any place where work is carried on, as well as every kind of building in any way connected with the workers, such as dwelling houses, hospitals, baths, kindergartens, nurseries, homes, schools and so forth. During visits to the various enterprises the administration and owners of such are bound to afford every assistance to the inspector and must not refuse to give explanations on the plea of trade secrecy, which has been abolished by the proletarian revolution, along with the other secrets and privileges of the propertied classes. The labor inspector is to discover all the deviations from and violations of the rules and regulations, whether with regard to the rights of the workers or with regard to technical and sanitary protection of labor. All inspection takes place in conjunction with the representative of the factory or works committee or other analogous committees. If, during the inspection a careless or spiteful attitude on the part of an owner or administration of the enterprise in question, is observed towards the interests of the life, health and protection of labor of workers and employees, the Labor Inspector takes the guilty party before the court or imposes a fine upon the same through the local Labor Department.

According to the decree, the Labor Inspector should not only carefully supervise the enforcement of existing laws, but he is also given the right to take all necessary measures for the removal of any circumstance which may be a menace to the life and health of the workers, even though such

measures be not provided for by the law. In special cases when serious defects are discovered, the Inspector of Labor has wide powers, including that of stopping machines or engines or looms, or even of closing down certain workshops or whole enterprises. Generally speaking, the Labor Inspector is the executive factor in our legislation, adapting all our regulations and decrees to the actual conditions and local peculiarities of a given district. With the consent and official sanction of the local trade union organizations, the inspectors may permit, in the event of extreme necessity, deviations from the existing standard, and establish the order in which one or another measure which cannot be realized in its entirety, is to be enforced.

The Labor Inspectors do not confine their activity to visiting enterprises alone. They are to set up inquiry offices, where the workers are given all necessary information with detailed instructions on all questions of labor and social welfare; they are to accept reports and complaints concerning violations of labor protection laws and to direct workers who seek information to the respective institutions.

The Labor Inspectors take an active part in the activity of the organs of public economy, public health, food supply, public education, social welfare, the housing question, and so forth; they raise here all questions in any way connected with labor protection, the health of the workers, and the improvement of their general conditions of life, and directly participate in bringing about all the measures of these organs. Furthermore, the Labor Inspectors attract to the work of labor protection all the local labor organizations, by reading papers on their activities, at the trade union sessions, at

the general meetings of individual enterprises, among the women workers, among the working youth, as well as at specially convened general labor conferences. In addition to this, the Labor Inspectors periodically deliver lectures and reports, and supply the local press with articles on the protection of labor.

IX. Inspection of Labor at Large.

In every country of the world there are a number of individual groups of the proletariat who are not subject to labor protection laws. In reality in such countries the law includes only the industrial proletariat of factories and works which is best organized, most class conscious, and therefore most dangerous to the bourgeoisie. At the same time, there is everywhere a large mass of disjointed, unorganized, and backward workers working under bad conditions, with whom state protection of labor in capitalist society has no concern.

In Soviet Russia such a state of things is of course inadmissible. There are no pariahs in our midst; we are all one closely connected single labor family. General inspection of labor, usually consisting of the skilled workers of large industrial industries, cannot embrace all the small home industries and disjointed enterprises, as well as those forms of labor the conditions of which are distinguished by certain peculiarities.

For this purpose in Russia there has been established a special Inspection. These Inspectors are part of the general system of State Inspection of Labor, but at the same time serve the needs only of workers of individual branches of industry, and are elected directly by the corresponding trade unions. In this manner the following special non-district inspections have been organized: of the railway and water transport work-

ers, builders, employees of the post and telegraph, radio and telephone services, agricultural workers, shop assistants, and also the workers engaged in supplying food in the capitals. For separate districts where the peasant home industry is greatly developed, and also in large towns, where there is a large number of various small concerns, such as workshops, hotels, offices, cafes, restaurants, baths, barber shops, hospitals, drugstores, etc., there are special "small-industrial" inspectors.

X. Staff for Inspection of Labor.

The staff for Labor Inspection acquires particular importance in view of the difficult conditions of the period of transition to socialism, and of the particularly acute economic disorganization and civil war. The immediate and complete realization of all the demands of the working class in the field of labor protection is absolutely impossible, and the most complex and responsible task of adaptation to life of the general demands of legislation, and the realization of all that can be realized, is demanded even at the cost of the greatest difficulties. The institution of labor inspection is very young. It has not even had two full years of existence. The political situation was such that the trade unions had to give their best men to the war to protect the revolution, and next, to organization of industry, establishment of transportation, food supply, organization of industry, organization of wage tariff activity, etc. Yet, in spite of the acute shortage of responsible men, the working class proved itself capable of providing a goodly number of business-like and intelligent men for this field as well. And, what is most important of all, labor inspection almost entirely rests upon the proletariat itself, which makes us fully confident of the stability and power of this young institution.

According to statistics for the month of April, 1920, there were elected altogether 405 Labor Inspectors; of these, there were 319 district and

86 other inspectors. The latter are divided as to their unions as follows: Railway Transport—52, Water Transport—14, Builders—4, Communications—10. General inspection of agricultural workers and shop assistants has only just begun to be organized, and employs not more than 6 men at the present time. Of the Labor Inspectors, 375 are men and 30 women.

We thus see that in labor inspection a considerable number of women is represented, and it might be mentioned that both men and women can be equally true Proletarian Labor Inspectors and that an individual woman worker can freely become a general Labor Inspectress. The following is the distribution of Labor Inspectors according to trade:

Workers	232
Foremen and technicians	75
General clerks	60
Medical assistants	5
Teachers	6
Druggists	2
Students	6
Doctors	3
Lawyers	1
Engineers	2
Unclassified	13

Altogether, including foremen, there were 307 workers, making 75 per cent, 60 employees making 15 per cent, and 25 intellectuals making 6 per cent. The class composition of the Labor Inspection is obvious.

As to previous education, they are distributed as follows:

Higher Education.....	16
Secondary Education.....	38
Secondary Technical and craft.....	49
Elementary Education.....	272
Domestic Science Education.....	13
Unclassified.....	17

The latter category really overlaps with elementary and domestic science education, in view of the fact that it consists mainly of workers.

Ages:		Local	General	Total
Up to 20	years.....	1	—	1
20—25	“	32	11	43
25—30	“	70	18	88
30—35	“	81	26	107
35—40	“	53	14	67
40—45	“	36	15	51
45—50	“	20	—	20
above 50	“	8	—	8
unknown	“	18	2	20

The above table shows the greatest number of inspectors is of the most mature age and of maximum fitness,—from 25 to 35.

Party composition:

Communists	183
Sympathizers	85
Mensheviks	15
Left Soc-Revolutionaries	6
Anarchists	2
Zionist Socialists	1

Bund	1
Non-Party	93
Unknown	18

I assume that the data given above is quite sufficient to enable us to say with confidence that Protection of Labor in Soviet Russia is in reliable hands.

XI. Special Inspections.

The Labor Inspectors who, as we have seen, are in the majority of cases class conscious workers of a domestic education are incapable of realizing fully all the tasks in the sphere of Labor Protection. Very often substantial special knowledge is required. For this reason, to assist Labor Inspection, the Soviet Government has secured the assistance of the medical and technical services. In August 1918 a technical inspection of engineers was instituted. In March 1919 Sanitary Inspection was introduced, all the inspectors for which were medical men. It has not been possible yet to put these two important institutions firmly on their feet, owing to the fact that at the present time the country is passing through a sharp crisis of lack of specialists. There are hardly enough engineers to go round for the work of reestablishing industry and transport, whilst the epidemics make felt the sharp need of doctors, in which Russia was at all times poor. At the present moment there are altogether 125 medical inspectors. According to the general principles of our policy, specialists, doctors and engineers are more of a consultative, auxiliary importance, assisting by their knowledge and special experience the Labor Inspector, who guides all their work, bearing the full responsibility for the condition of labor protection in his district.

The technical and medical inspectors make a

systematic supervision of enterprises for the purpose of removing any defect or infringement of laws in the sphere of technical safety, sanitation and industrial hygiene. In addition to this they make an extensive study of all harmful trades, trade diseases and accidents and investigate methods of combatting these. All their work, similar to Labor Inspection, is carried on in the closest contact with the trade unions under the latter's direct control.

XII. Conclusions.

It is quite obvious that although our Labor Inspection is composed chiefly of the working class, this class was incapable of realizing all the aspects of its activity. A Labor Inspector makes only periodical visits to an enterprise, gives orders and directions but is incapable of establishing a daily control for their actual execution. In addition to this, Labor Protection gives actual results only when it is carried out by the whole working mass during its usual labor processes. For its maximum success the constant utilization is necessary of that knowledge of the peculiarities of every branch of an individual piece of work, which is possessed by the workers engaged at the lathes who feel the necessity of carrying out the protection of Labor. Furthermore, it is necessary to attract to the creative active work of labor protection those who most need this protection, the weakest elements of the working class—the women and the children. In order to achieve these tasks there are being established in Soviet Russia, side by side with Labor Inspection, special organs assisting and collaborating with the Inspection in its complex and responsible work. At every trade union from top to bottom, from the central committee to the lowest county branch, special departments of labor protection have been established. At every factory and works, at every enterprise and institution numbering above 15 men, a commission of labor protection has been formed.

These organs vitalize the activity of the Labor Inspection by special knowledge of all the peculiarities and the demands of the industry in question. They also see to it that all the instructions and directions are not dead letters but are actually carried out in due time and without undue deviations. In the absence of the Inspector they carry on the constant control of the supervision of legislation on Labor Protection, and of the sanitary-hygienic state of enterprises, housing, schools, hospitals, baths and so forth. Special attention is to be paid to attracting into active work in Labor protection the working youth, which in the person of its Communist League, represents a leading element, affording a great assistance to all the organs of the Soviet Government by presenting an example of energy and firm revolutionary faith in the righteousness of the workers' cause. In connection with all organs of the League there are economic legal departments which under the guidance of the Labor Inspectors carry on the Labor protection of minors. Moreover, in February of 1920 we laid the foundation of a special institution of assistant inspectors of labor from the midst of the League of Labor Youth. The best representatives of the proletarian youth, elected to these posts by the League in agreement with the Council of Trade Unions, are able to devote themselves fully to the work of Labor Protection. Whilst paying most attention to the protection of child labor, they at the same time assist the inspector in all the other aspects of his activity, thanks to which they continually gain experience as fully intelligent and efficient workers in labor protection.

Finally, every measure is being taken to draw

women workers to the work of labor protection. The general meetings of the representatives of women workers of every district elect special delegates who constantly participate in the activity of the local sub-department of Labor Protection, visit the enterprises under the guidance of the Labor Inspectors, attend special lectures and take part in discussions on labor protection which are arranged by the Labor Inspection, and also closely participate in the realization of Labor Protection for women and children.

Thus, thanks to persistent and detailed daily work, both of an organizing, agitational, cultural and educational character, we make sure that protection of labor in Soviet Russia does actually embrace ilimitably wide circles of working masses, who may be said fully to have become the "self-protectors" of the proletariat against all abnormal, difficult and harmful conditions with which the capitalistically organized public labor is connected, and which inevitably lead to a physical and mental degeneration of the working masses. We have not by far succeeded in fully realizing all the demands of labor protection. This is in the first place to be explained by the fact that, generally speaking, social measures can under no conditions be fully realized on a large scale within one or two years. In addition to the conditions prevailing in all countries, Russia was laboring under an uninterrupted three years' civil war and principally under a brutal and criminal blockade of the aggressive Entente, which prevented among other things the full realization of protection of labor. The armed counter-revolution supported by Anglo-French bayonets, bullets, and money, and at times even with human "cannon-

fodder," compelled the Russian workers and peasants to strain all their forces for the defence of the Soviet system. At the same time the Western European capitalists, having economically isolated Russia from the whole world, contributed towards the extreme economic disorganization and tortured by hunger and cold the children of the proletariat. It is clear enough that under such conditions not all the aspects of labor protection could be realized.

However, Soviet Russia is slowly but surely advancing along the road of extending and deepening real social Protection of Labor. However difficult the general position of the country is at the present time, the Russian workers nevertheless lay the cornerstone of the edifice of Labor Protection, whose problem it is to serve as the temple of healthy, beautiful and joyous labor.

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